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PATENT
B208-1095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hirofumi Takei
Serial No : 09/583,251
Filed : May 31, 2000
For : WHITE BALANCE CORRECTING DEVICE
Examiner : Heather R. Long
Art Unit : 2615

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL UNDER 37 CFR §1.116

In response to the Office Action of May 12, 2004, please amend the above-identified application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 14 of this paper.

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I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on: July 9, 2004

John L. Torrens

Signature

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the background, accurate white extraction cannot be accomplished since the average of the color image is more biased to chromatic color in the background than the white color. (Page 6, line 18 though page 7, line 4, of applicant's specification). In such case, the white part (maximum brightness) in the Takei patent cannot be detected, since the maximum brightness level is computed within regions in which an accurate white extraction was not performed (column 15, lines 27-30). That is, in the Takei patent the white part in other regions in the image plane in which white extraction was not performed, is not and cannot be detected.

In contrast, in the present invention, in the above situation, the problem is solved, since a predetermined region is used for the peak value detection so that the small white part which cannot be detected by the average value calculating part can be detected as the peak value of brightness by the peak value acquiring part. (Page 23, line 6, through page 25, line 2, of applicant's specification).


Applicant's amended independent claims 1, 6, 8, 13, 15, 20 and 22, and their respective dependent claims, thus patentably distinguish over the Takei patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

Dated: July 9, 2004

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Respectfully submitted,


John J. Torrente
Reg. No. 26359
Attorney for Applicant

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05/31/00

May 31, 2000

Asst. Commissioner for Patents
Washington, DC 20231

Attn: Patent Application Branch

RE: Filing of Patent Application
"EXPRESS MAIL" LABEL NUMBER: EL175652547US
Our File: B208-1095

Dear Sir:

Enclosed for filing is a patent application of Hirofumi Takei for a WHITE BALANCE CORRECTING DEVICE, the application comprising a Specification of 27 pages; 21 numbered Claims, including 6 Independent numbered Claims; 11 sheets of Formal Drawings (Figures 1-14); an Abstract and our check in the amount of \$942.00 in payment of the filing fee, which has been calculated as follows: \$690.00 base filing fee; \$234.00 for Six Independent Claims in excess of three and \$18.00 for One Dependent Claim in excess of twenty.

A "Combined Declaration and Power of Attorney for Patent Application" will be filed at a later date.

Claim will be made under 35 U.S.C. § 119 for the benefit of the filing date of Japanese Patent Application Nos. Hei 11-158564 (filed June 4, 1999), a certified copy of which will be filed in due course.

Authorization is given for the charging of any further fee for effecting filing to our Deposit Account 18-1644.

Respectfully submitted,

John J. Torrente
John J. Torrente
Registration No. 26,359
Attorney for Applicant

JJT:sg
Encl.

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PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 29, 1999

Application or Docket Number

09/583251

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	21 minus 20 =	1
INDEPENDENT CLAIMS	6 minus 3 =	3
MULTIPLE DEPENDENT CLAIM PRESENT		

SMALL ENTITY TYPE ☐

OR

OTHER THAN SMALL ENTITY

RATE	FEE	OR	RATE	FEE
	345.00			690.00
X\$ 9=			X\$18=	18
X39=			X78=	234
+130=			+260=	
TOTAL			TOTAL	942

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	22	21	1
Independent	4	6	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM =			

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE	OR	RATE	ADDITIONAL FEE
X\$ 9=			X\$18=	86.10
X39=			X78=	
+130=			+260=	
TOTAL ADDIT. FEE			TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	22	22	
Independent	7	6	1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			

RATE	ADDITIONAL FEE	OR	RATE	ADDITIONAL FEE
X\$ 9=			X\$18=	
X39=			X78=	86.00
+130=			+260=	
TOTAL ADDIT. FEE			TOTAL ADDIT. FEE	

9-13-04

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	22	22	
Independent	7	7	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			

RATE	ADDITIONAL FEE	OR	RATE	ADDITIONAL FEE
X\$ 9=			X\$18=	
X39=			X78=	
+130=			+260=	
TOTAL ADDIT. FEE			TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

***If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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